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 CLERK U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 SANTA ANA

FILED

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

DEUTSCHE BANK NATIONAL TRUST  
 CO., ETC.,

Plaintiff,

vs.

KARL ROBINSON, ET AL.,

Defendants.

CASE NO. EDCV 12-1821 UA

ORDER SUMMARILY REMANDING  
 IMPROPERLY-REMOVED ACTION

The Court will remand this unlawful detainer action to state court summarily because Defendant removed it improperly.

On October 22, 2012, Lawrence Woods, ostensibly having been sued in what appears to be a routine unlawful detainer action in California state court,<sup>1</sup> lodged a Notice of Removal of that action to this Court and also presented an application to proceed *in forma pauperis*. The Court has denied the latter application under separate cover because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

Simply stated, Plaintiff could not have brought this action in federal court in the first place, in that Defendants do not competently allege facts supplying either diversity

<sup>1</sup> Woods is not named as a defendant in the state court action and it is unclear what interest he has in the property.

1 or federal-question jurisdiction, and therefore removal is improper. 28 U.S.C. § 1441(a);  
2 *see Exxon Mobil Corp v. Allapattah Svcs., Inc.*, 545 U.S. 546, 563, 125 S.Ct. 2611, 162  
3 L.Ed.2d 502 (2005). Even if complete diversity of citizenship exists, the amount in  
4 controversy does not exceed the diversity-jurisdiction threshold of \$75,000. *See* 28 U.S.C.  
5 §§ 1332, 1441(b). On the contrary, the unlawful-detainer complaint seeks damages of less  
6 than \$10,000.00.

7 Nor does Plaintiff's unlawful detainer action raise any federal legal question.  
8 *See* 28 U.S.C. §§ 1331, 1441(b).

9 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the  
10 Superior Court of California, Riverside County, 13800 Heacock Street, Moreno Valley,  
11 CA 92553, for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that  
12 the Clerk send a certified copy of this Order to the state court; and (3) that the Clerk serve  
13 copies of this Order on the parties.

14 IT IS SO ORDERED.

15 DATED: 10/30/12  
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20 GEORGE H. KING  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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